

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, DECEMBER 1, 2015, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The Deputy Municipal Clerk advised the public of the location of the two fire exits; one on the left after exiting the Council Chamber and the other being the entrance to the building.

Members present: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard.
(6) Absent: Mr. Babula. (1).

Also present: Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Lt. Fine.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on December 1, 2015 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

INVOCATION

Father Christopher Picollo of Saint Katherine Drexel Parish

SALUTE TO FLAG

COMMUNITY INFORMATION ANNOUNCEMENTS

CONSENT AGENDA

Councilwoman Lollar, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard. All were in favor.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR NOVEMBER 2015

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of October 2015. \$230.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 11-01 Screening Board for November 2015
- 11-02 Historic Preservation Commission for December 2, 2015

NOTICE TO PROPERTY OWNERS

- 11 -20 1300 Walnut Street
- 11 -21 Chestnut Street
- 11-22 56 West 7th Street

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

- 11-300 Alaimo Group, dated November 3, 2015, re: Engineers Status report
- 11-301 Environmental Resolutions, Inc., dated November 5, 2015, re: Burlington City Water Treatment Plant Security Project
- 11-302 Alaimo Group, dated November 12, 2015, re: 2014 Small Cities Community Development
- 11-303 Pennoni Engineers, dated November 12, 2015, re: Assiscunk Creek Levee Improvements -Phase 1

CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES

- 11-600 NJLM, Seminar Round Up, dated November 18, 2015
- 11-601 NJLM, Budgeting for Elected Official - Saturday February 20, 2016
- 11-602 NJLM, Newly Elected, Re-Elected or Experienced
- 11-603 NJLM, 24th Annual Mayors Legislative Day, February 3, 2015
- 11-604 Municipal Excess Liability Joint Insurance Fund, dated October 22, 2015, re: Elected Officials Training at the 2015 League of Municipalities Convention
- 11-605 NJLM, Orientation for Municipal Officials that are newly elected

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

- 11-700 DEP, dated November 2, 2015, re: "Hooked on Fishing - Not on Drugs" training program
- 11-701 DEP, dated November 19, 2015, re: Christie Administration Awards 1.75 Million in grants for 5 water quality improvement projects

MISCELLANEOUS CORRESPONDENCE

- 11-800 Elaine McClammy, dated November 5, 2015, re: issues ignored by you
- 11-801 Elaine McClammy, dated November 4, 2015, re: Conaway and Mercuri keep your word
- 11-802 Endeavor Emergency Squad, Inc., October 2015 Monthly Statistics
- 11-803 Elaine McClammy, dated November 16, 2015, re: the law apply to all
- 11-804 Lourdes Health System, dated October 30, 2015, re: Blue Cross Blue Shield
- 11-805 Burlington County Chiefs of Police Association, dated November 16, 2015, re: Burlington Scholarship Award
- 11-806 National Integrity, LLC, dated November 10, 2015, re: fee water lateral 409 York Street, Block 143 lot 3

11-807 Economic Development Partners Meeting, December 1, 2015, re: Proposes series of television features intended to showcase the business, development construction real estate for our Community

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 227-2015

RESOLUTION NO. 227-2015 AUTHORIZING AMENDMENT #3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PENNONI ASSOCIATES, INC. IN CONJUNCTION WITH THE IMPLEMENTATION OF THE New Jersey Department of Community Affairs_(NJDC) FY2013 Small Cities Community Development Block Grant (CDBG) for Flood_Control Improvements along The Assiscunk Creek in the Vicinity of Columbus Park

WHEREAS, on March 19, 2013, the City of Burlington entered into a professional services agreement (Contract #13-029) with Pennoni Associates, Inc., 515 Grove Street, Suite 2C, Haddon Heights, NJ 08035 for professional services in connection with the NJDC Small Cities Community Development Block Grant (Grant #2013-02292-0135-00) for the Public Facilities Project: Flood Control Improvements along the Assiscunk Creek in the vicinity of Columbus Park; and

WHEREAS, unforeseen additional professional services are required in association with this grant funded project, including preparing RFQ forms and soliciting quotes to install mitigation plantings, coordination and change orders for the 24" CMP outfall improvement, and investigation of improvements including fencing, lighting, and inlet inserts; and

WHEREAS, the City of Burlington received a proposal dated November 13, 2015, in the amount of \$8,210.00 for said professional services from Pennoni Associates, Inc.; and

WHEREAS, the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available,

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, that the Mayor is hereby authorized to execute Amendment #3 to this contract, in the amount of \$8,210.00 with Pennoni Associates, Inc. for additional professional services in connection with the implementation of the 2013 Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (Grant #2013-02292-0135-00), for a revised total of \$186,010.00.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 228-2015

RESOLUTION NO. 228-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A BID TO FARM RITE, INC. FOR A COMPACT UTILITY TRACTOR FOR THE DIVISION OF SEWER

WHEREAS, the 2015 approved budget for the Division of Sewer included funding in the amount of \$43,000.00 for the purchase of a compact utility tractor with a loader and discharge mower; and

WHEREAS, the City of Burlington solicited bids for one John Deere (or equivalent) 3039R compact utility tractor with a loader and discharge mower; and

WHEREAS, the bid opening was held on October 20, 2015 at 10:00 AM at City Hall, 525 High Street, Burlington, New Jersey; and

WHEREAS, Mark Staravoj, Sewer Plant Superintendent, has reviewed the three (3) submitted bids and recommends that the Common Council award a bid to the lowest qualified bidder: Farm Rite, Inc., 122 Old Cohansey Road, Bridgeton, NJ 08302, in the amount of \$40,320.00 (Forty thousand three hundred twenty dollars and no cents);

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that the bid be awarded to Farm Rite, Inc. in the amount of \$40,320.00 and that the Chief Financial Officer is hereby authorized to issue a purchase order to Farm Rite, Inc. for a compact utility tractor with a loader and discharge mower;

BE IT FURTHER RESOLVED that the Sewer Plant Superintendent is to ensure that said equipment received from Farm Rite, Inc. is compliant with the specifications of the bid.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 229-2015

RESOLUTION NO. 229-2015 OF THE CITY OF BURLINGTON AWARDING A CONTRACT TO J.H. WILLIAMS FOR BUILDING IMPROVEMENTS AND RENOVATIONS AT THE CITY'S BUILDING LOCATED AT 302 COMMERCE SQUARE BOULEVARD, BURLINGTON, NJ, COMMONLY KNOWN AS THE YMCA BUILDING

WHEREAS, the City of Burlington is the owner of the building located at 302 Commerce Square Boulevard, Burlington, NJ and currently leases the property to the YMCA; and

WHEREAS, the building incurred water damage to the structural components of the building and the owner is responsible for the structural components of the building in accordance with the lease; and

WHEREAS, Alaimo Group, Inc., the City's General Engineers, prepared specifications and received formal bids on Friday, November 6, 2015 for the building improvements and renovations for 302 Commerce Square Boulevard, Burlington, NJ, commonly known as the YMCA Building, and

WHEREAS, two bids were received and have been reviewed by Alaimo Group, Inc. and it is the recommendation of the City's Engineer in their letter dated November 6, 2015 to award the contract to the low bidder and acceptable bidder for this project: J.H. Williams Enterprises, 231 Haines Drive, Moorestown, NJ, 08057, in the amount of \$177,400.00; and

WHEREAS, the firm of J.H. Williams Enterprises is a registered Public Works Contractor with the State of New Jersey and is not on the State of New Jersey debarred list of contractors; and

WHEREAS, the City of Burlington Chief Financial Officer has certified that funds are available to award a contract to J.H. Williams Enterprises for this project;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with J.H. Williams Enterprises in the amount of One hundred seventy seven thousand four hundred dollars and 00/100 cents (\$177,400.00).

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing

resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, (6) NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 230-2015

RESOLUTION NO. 230-2015 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING AN AGREEMENT FOR THE ACCEPTANCE OF STORMWATER GENERATED AT THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX

WHEREAS, the City of Burlington owns and operates a wastewater treatment facility located at 900 West Broad Street generally referred to as the City of Burlington Sewerage Treatment Plant (“STP”); and

WHEREAS, the City of Burlington STP has waste disposal facilities and capabilities; and

WHEREAS, the Burlington County Resource Recovery Complex (“Complex”), owned by the County of Burlington, generates stormwater; and

WHEREAS, the County of Burlington desires to have certain Complex waste treated and disposed of by the City of Burlington at the City’s STP; and

WHEREAS, the City of Burlington is agreeable to treat and dispose of the stormwater waste of the County of Burlington produced at the Complex in accordance with the terms and conditions contained in the attached AGREEMENT CONCERNING THE DISPOSITION OF STORMWATER GENERATED AT THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX;

NOW THEREFORE, BE IT RESOLVED by the Common Council for the City of Burlington that the Common Council for the City of Burlington hereby confirms as follows;

1. The Mayor and Municipal Clerk are hereby authorized to execute an AGREEMENT FOR THE DISPOSITION OF STORMWATER GENERATED AT THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX; in a format substantially similar to the attached agreement, upon receiving a satisfactory agreement as per determination of the City of Burlington Solicitor and the City of Burlington Sewerage Engineer.
2. This Agreement shall be effective on January 1, 2016 and shall expire on December 31, 2020 unless sooner terminated in accordance with its terms. The Agreement may be renewed for additional periods on the agreement of the parties.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 231-2015

RESOLUTION NO. 231-2015 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT AMENDMENT FOR A NEW SEWER SERVICE AREA FOR THE MARGOLIS WAREHOUSE DISTRIBUTION FACILITY

WHEREAS, the City of Burlington desires to provide for the orderly development of wastewater facilities within the City of Burlington; and

WHEREAS, the New Jersey Department of Environmental Protection requires that the proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM Plan; and

WHEREAS, the N.J. DEP has established the Wastewater Quality Management Plan amendment procedure as a method of incorporating unplanned facilities into a WQM Plan; and

WHEREAS, a proposed WQM plan amendment noticed in the DEP Bulletin on October 21, 2015 for a new sewer service area for Margolis Warehouse Distribution Facility has been prepared by French & Parrello Associates;

NOW THEREFORE, BE IT RESOLVED by the Common Council for the City of Burlington as follows:

1. The City of Burlington consents to the amendment as entitled above and publicly noticed by the New Jersey Department of Environmental Protection for the purpose of its incorporation into the applicable Water Quality Management Plan;
2. The City Clerk and/or Business Administrator shall forward this consent and cause it to be submitted to the New Jersey Department of Environmental Protection in accordance with N.J.A.C. 7:15-3.4;
3. The Mayor, Business Administrator, City Clerk, and/or City Attorney are authorized and directed to effectuate all purposes of this Resolution by causing to be executed.

Upon the motion of Councilwoman Lollar, seconded by Councilman Woodard, the foregoing

resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 232-2015

RESOLUTION AUTHORIZING BUDGET TRANSFERS

WHEREAS, there are certain 2015 budget appropriations which have been determined to be insufficient and there are other 2015 budget appropriations which are in excess of the amount deemed necessary to fulfill the purpose of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-58 permits the governing body during the last two months of the fiscal year, by resolution adopted by not less than 2/3 vote of the full membership thereof, to transfer the amount of such excess to those appropriations deemed to be insufficient,

NOW THEREFORE BE IT RESOLVED by the Common Council that the following transfers between the 2015 budget appropriations be made:

CURRENT FUND:	From	To
Electricity and Natural Gas	\$ 20,000.00	
Buildings and Grounds – OE		\$ 20,000.00
	<hr/>	<hr/>
	\$ 20,000.00	\$ 20,000.00

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 233-2015

RESOLUTION TO AMEND ADOPTED BUDGET FOR “2015 DRIVE SOBER OR GET PULLED OVER YEAR END HOLIDAY CRACKDOWN” GRANT FROM THE NJ DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was

not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the City of Burlington received a 2015 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant in the amount of \$5,000.00 from the New Jersey Department of Law and Public Safety;

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000.00 as follows which item is now available as a revenue from:

Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

2015 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant \$ 5,000.00

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 5,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations Operations-Excluded from "CAP"
Public and Private Programs Offset by Revenues:

2015 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant \$ 5,000.00

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 234-2015*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Martha Haines, 16 Pinewald Lane, Burlington, N.J. and Marcia Moore, 19 James Avenue, Southampton, N.J. to operate a business at 229 High Street t/a "On Angels Wings."

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Ann Anderson, 415 York Street- spoke of handicap parking situation; asked the City to take away the parking spot.

ADMINISTRATION COMMENTS

Ms. Schiller gave an update on upcoming events.

Mr. Ballard said he is aware of the handicap parking situation spoke of by Ms. Anderson; there is an old curb cut; there is no house there, felt her idea was not a bad idea; spoke of recycling containers possibly being on a conference next week with Mr. Vining; spoke of a house on Mott Avenue that is overgrown and deteriorating; they have 30 days to correct the issues; spoke of Polito's junk yard and concerns with the house and the fence; spoke of the former Café Gallery; all is legal, they have permits for all that they are doing; gave an update on Conover Street and the ground penetrating report; the search is still going on; spoke of a meeting scheduled with Triad concerning Memorial Hall.

Councilman Ghaul spoke of EMEX; asked why have they not been back; they saved us a lot of money 1 year ago.

COUNCIL COMMENTS

Councilman Swan spoke of the pot holes on W. Federal Street and a tree growing by Ellis and W. Broad between the road and the track; spoke of holes in the alley behind Conover and W. Broad.

Councilwoman Woodard spoke of the EMEX Company; asked if Council can have a conference on this before the end of the year.

Councilman Ghaul spoke of new officials coming in and that there won't be anymore conferences until next year.

All Council Members present were in favor of no conference on the last agenda of the year.

Councilwoman Lollar spoke of this past Sunday there was a Life Celebration for Becky.

CONFERENCES

- Brick Wall - Request for outdoor seating
- Tri-Boro Paving, Inc. - Request permission to repave Underhill Street at Columbus Road

ADJOURNMENT

Upon the motion of Councilman Woodard, seconded by Councilwoman Lollar, this meeting of December 1, 2015 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk
